

BILL NO. G-73-08-25

GENERAL ORDINANCE NO. G-20-73

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two public streets by NORTHSIDE FINANCE CORP. having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets in Fort Wayne, Allen County, Indiana, to-wit:

Glen Eden Drive from the Southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and

Apple Valley Lane in its entirety.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Thomas J. Schmitt
Councilman

*Approved as to form
and legality*
Assoc. City Attorney

Read the first time in full and on motion by J. Schneider, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Reg. relations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 8/14/73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 8-20-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winful C. Wingo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

James A. Schaefer
MAYOR

Bill No. G-73-08-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the General Ordinance G-97 by authorizing the vacation
of an alley and two streets

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

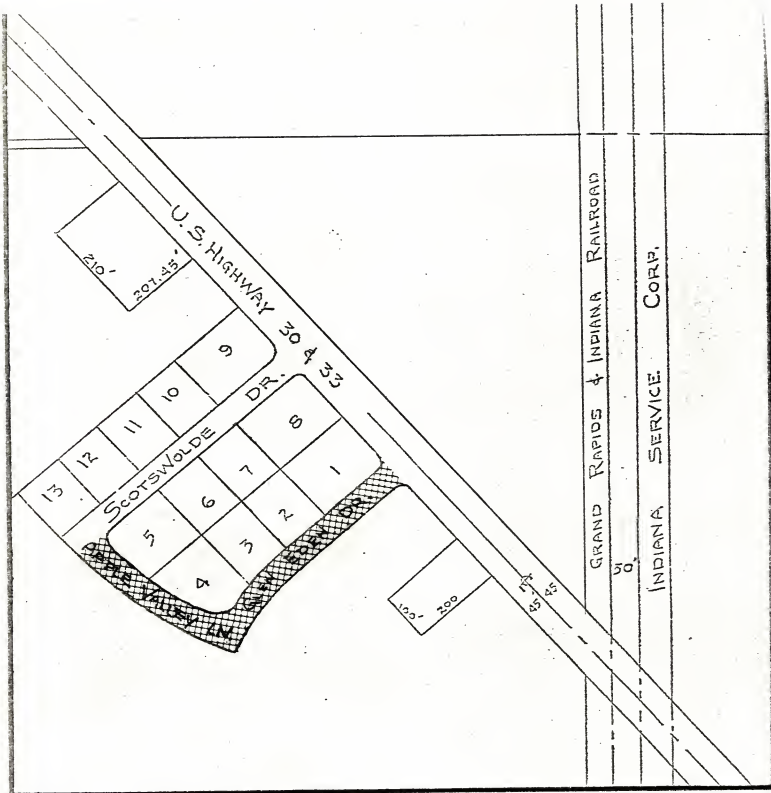
William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
D.J. Schmidt

DATE 8-25-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



STREET TO BE VACATED



THE CITY OF FORT WAYNE

office of city plan commission

July 25, 1973

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Glen Eden Drive from the southwest boundary line of
the Goshen Road to the southwestern terminus of said
Glen Eden Drive; and

Apple Valley Lane in its entirety.

which was approved by the City Plan Commission at its regular meeting
held July 23, 1973.

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel
Gretchen Wiegel
Secretary

Certified and signed this
25th day of July, 1973.

PETITION TO VACATE STREETS

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

THE COMMON COUNCIL
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, NORTHSIDE FINANCE CORP. and HOMER E. JACKSON, TRUSTEE, and ROYAL A. JACKSON, TRUSTEE, Petitioners, do hereby respectfully petition the Plan Commission and the Common Council of the City of Fort Wayne to vacate the following streets within the City of Fort Wayne, described as follows:

"Glen Eden Drive from the southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and

Apple Valley Lane in its entirety."

Your Petitioners represent that:

1. They are the owners of all the land abutting said streets herein sought to be vacated.

2. No other person, firm or corporation is interested in or affected by the requested vacation, and the land included in said streets has no value to anyone, other than Petitioners.

3. The streets sought to be vacated have never been opened or improved and dead-end into the property of these Petitioners. In addition, there is no construction and no improvements or buildings of any kind upon any of the land adjacent to or abutting said streets.

Your Petitioners would further show that the existence or maintenance of said streets is not necessary or advantageous in any manner to the growth of the City of Fort Wayne and that, in fact, it would be to the best interests of said City and the citizens thereof, as well as the immediately adjoining property owners that said streets be vacated as prayed.

This Petition is filed pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation above-described.

WHEREFORE, your Petitioners pray that the streets above-described be vacated according to the provisions of the Indiana Law pertaining thereto.

NORTHSIDE FINANCE CORP.

By

Clifford J. Smith
Its Secretary

Homer E. Jackson

HOMER E. JACKSON, TRUSTEE

Royal A. Jackson

ROYAL A. JACKSON, TRUSTEE

RESOLUTION

WHEREAS, NORTHSIDE FINANCE CORP. and HOMER E. JACKSON, TRUSTEE, and ROYAL A. JACKSON, TRUSTEE, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets in the City of Fort Wayne, Indiana, to wit:

Glen Eden Drive from the southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and

Apple Valley Lane in its entirety.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964 Replacement, Section 53-744); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on July 23, 1973 at 7:30 p.m. and at such hearing there were no objections of any kind or character which should prevent the vacation of said public streets;

NOW, THEREFORE, BE IT RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public streets hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and


BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public streets hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the action of the Fort Wayne City Plan Commission be forwarded to the Common Council of the City of Fort Wayne for its action thereon.

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

I, ALAN GRINSFELDER, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on July 23, 1973, and as the same appears of record in the official records of said Plan Commission.

Dated this 23rd day of July, 1973.



Alan Grinsfelder, President
Fort Wayne City Plan Commission

DIGEST SHEET

2-73-08-25

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a street vacation ordinance petition
initiated by property owners to vacate the following described streets:

Glen Eden Drive from the southwest boundary line of the Goshen Road

to the southwestern terminus of said Glen Eden Drive; and

Apple Valley Lane in its entirety.

EFFECT OF PASSAGE Property would be utilized by property owners.

(Note: streets and lots were platted, but never developed)

EFFECT OF NON-PASSAGE Undeveloped streets would remain as
part of this platted subdivision.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) REG

WCM

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	11-73-08-25
ORDINANCE NO.	2-20-73
REGULAR SESSION	Aug 14
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>2nd Field</i>
BILL WRITTEN BY	
DATE INTRODUCED	8-14
REFERRED TO SAID STANDING COMMITTEE	<i>Fuchs</i>
REFERRED TO CITY PLAN	<i>Regulations</i>
LEGAL PUBLIC HEARING	
X LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
X PASS	8-28-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	<i>Presentation - Petition</i>
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
X	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Deputy Clerk -

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:

CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

August 30, 1973

Miss Helga Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 1, and September 8, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Publication for Common Council
of Fort Wayne, Indiana:

General Ordinance No. G-20-73 -
Authorizing the vacation of an alley
and two streets.

General Ordinance No. G-21-73
Authorizing the vacation of an alley
and two streets.

General Ordinance No. G-22-73
Authorizing the vacation of an alley
north of Creighton Avenue.

General Ordinance No. G-23-73
Amending certain sections of Chapter 31
of the 1946 Municipal Code of the City
Fort Wayne, Indiana.

Please send us 4 (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

CWW/ne
ENCL: 4

Charles W. Westerman
City Clerk

Common Council ^{*}City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

92

2

94

COMPUTATION OF CHARGES

94 lines, columns wide equals equivalent lines at .288¢ cents per line \$ 27.07

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

(2)

TOTAL AMOUNT OF CLAIM

\$ 28.07

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 14, 1973

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

September 1, 1973

September 8, 1973

Subscribed and sworn to before me this 14th day of September 1973

My commission expires October 25, 1975

Notary Public

Notice is hereby given that on the 28th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-28-73, G-28-73 General Ordinance, to-wit:

Bill No. G-28-73 General Ordinance No. G-28-73

AN ORDINANCE amending the General Ordinance G-47 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two public streets by NORTHSIDE FINANCE CORP. having been filed with the Fort Wayne City Plan Commission, and the resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Sec. 3 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1944 Replacement), Sec. 52-44), the Thoroughfare Plan as set forth in General Ordinance No. G-59 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is hereby amended by deleting the following public streets in Fort Wayne, Allen County, Indiana, to-wit:

Glen Eden Drive from the Southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and Apple Valley Lane in its entirety.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

VIVIAN C. SCHMIDT,
Counselman
by Nuckols, seconded by Talarico, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Niner Burns, Hingo, Kraus, Moses, Nuckols, O. Schmidt, V. Schmidt, Sier, Talarico.

Nays: None

Date: 8-28-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-28-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses,
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman,
City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff,
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of General Ordinance No. G-28-73 passed by the Common Council on the 28th day of August, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of August, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of August, 1973.

CHARLES W. WESTERMAN,
CITY CLERK

Common Council—City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Head number of lines	_____
Body number of lines	92
Tail number of lines	2
Total number of lines in notice	94

COMPUTATION OF CHARGES

94 lines.....columns wide equals.....equivalent lines at •288 1/2 cents per line	\$ 27.07
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two) (2)	1.00
TOTAL AMOUNT OF CLAIM	\$ 28.07

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type.....5 1/2 point
Number of insertions.....2	Size of quad upon which type is cast.....5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 14, 1973

Title Clerk

Legal Notice

Notice is hereby given that on the 28th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-73-28-25, G-20-73 General Ordinance, to-wit:

Bill No. G-73-28-25 General Ordinance No. G-20-73

AN ORDINANCE amending the General Ordinance G-27 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two public streets by NORTHSIDE PLANCE CORP. having been filed with the Fort Wayne City Plan Commission, and resolution having been adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. 2-67 adopted by the Common Council of the City of Fort Wayne on November 28, 1963, is amended by deleting the following public streets in Fort Wayne, Allen County, Indiana, to-wit:

Glen Eden Drive from the Southwest boundary line of the Goshen Road to the southwestern terminus of said Glen Eden Drive; and Apple Valley Lane in its entirety.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

COUNCILMAN

Read the third time in full and on motion by Nuckolls, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayres: Nine; Burns, Hingo, Kraus, Moses, Nuckolls, D. Schmidt, V. Schmidt, Siler, Talarico.

Ways: None

Date: 8-28-73

Charles W. Westerman City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-73-27 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr. City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 29th day of August, 1973, of the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebampoff, Mayor

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full true and complete copy of General Ordinance No. G-20-73 passed by the Common Council on the 28th day of August, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of August, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of August, 1973.

CHARLES W. WESTERMAN, CITY CLERK

9-1-8

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and in the undersigned.....A. M. Hostman.....who, being duly sworn, says that She is.....Clerk.....of the

NEWS-SENT INEL

a.....DAILY.....newspaper of general circulation printed and published in the English language in the city { of.....FORT WAYNE, INDIANA.....in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....2.....time s, the dates of publication being as follows:

September 1, 1973

September 8, 1973

Subscribed and sworn to before me this 14th day of September, 1973

Notary Public

My commission expires.....October 25, 1975